

REMARKS

In the Office Action mailed September 10, 2007, the Examiner initially objected to claim 22 under 35 USC §112, second paragraph. As the Examiner correctly indicated, claim 22 should depend from independent claim 1, rather than cancelled claim 21. By the present response, claim 22 has been amended to depend from claim 1 such that the rejection under §112, second paragraph, has been addressed.

In the Office Action, claims 1-2, 4-5 and 22 were rejected under 35 USC §103(a) as being unpatentable in view of the combination of the Lander U.S. Patent No. 4,476,469 in view of the Hedrick U.S. Patent No. 5,680,105 and the Crabtree U.S. Patent No. 6,788,199. Claims 15 and 16 were rejected under §103(a) as being unpatentable over the Lander '469 patent in view of the Hedrick '105 patent and the Crabtree '199 patent in further view of the Calhoun U.S. Patent No. 6,850,151. Claims 10-12 were also rejected under §103(a) as being unpatentable over the Lander '469 patent, the Hedrick '105 patent, the Crabtree '199 patent and in further view of the Reber U.S. Patent No. 5,950,632. Claim 13 was rejected under §103(a) in view of the combination of the Lander '469, Hedrick '105, Crabtree '199 and Reber '632 patents in further view of the Winder U.S. Patent No. 6,133,832. Claim 17 was rejected based upon the combination of the Lander '469, Hedrick '105, Crabtree '199 patents in further view of the Holbrook U.S. Patent No. 6,674,364.

Claims 18-20, 24, 25 and 27 were rejected under §103(a) as being unpatentable over the combination of the Lander '469, Hedrick '105, Crabtree '199 patents in further view of the Horiyama U.S. Patent No. 6,502,949. Claims 28-32 and 34 were rejected under §103(a) in view of the Melbourne '787, Hedrick '105 and Crabtree '199 patents. Claim 35 was rejected under §103(a) as being unpatentable over the Melbourne '787, Hedrick '105, Crabtree '199 patents in further view of the Calhoun '151 patent. Finally, claim 36 was rejected under §103(a) in view of the Melbourne '787, Hedrick '105, Crabtree '199 and Bender '602 patents.

In addressing the applicant's past arguments, the Examiner stated that the applicant admitted to or agreed to the rejections based upon the Crabtree '199 patent. The applicant hereby disagrees and objects to such finding by the Examiner. By the present response, the applicant is presenting arguments to distinguish the claims of the pending application against all of the references cited by the Examiner, including the Crabtree '199 patent. Based upon the following arguments for allowance and the previously presented claim amendments, the applicant believes the claims in the application are now allowable over the combination of references cited by the Examiner.

Independent Claim 1

In the Office Action, independent claim 1 was rejected under §103(a) as being unpatentable over the Lander '469 patent in view of the Hedrick '105 patent and the Crabtree '199 patent.

As amended, independent claim 1 is directed to a system for locating a plurality of objects that includes a transmitter unit having a plurality of object locating switches and a master switch. The transmitter unit includes an RF transmitter that is operable to transmit an activation signal that can include either one of a plurality of unique target address codes or a master address code that is different from each of the target address codes. As specified by claim 1, each target address codes is associated with one of the object locating switches and the master address code is associated with the master address switch. When one of the object locating switches is depressed, the RF transmitter transmits the activation signal including the target address code assigned to the object locating switch. Likewise, when the master address switch is depressed, the RF transmitter transmits the activation signal including only the master address code assigned to the master switch. As set forth above, the master address code is different from each of the plurality of target address codes. Thus, the RF transmitter transmits the activation signal including either one of the plurality of distinct target address codes or the master address code.

Claim 1 further requires the plurality of remote locator units to include a memory that stores a programmable target address and a master address. When the RF receiver of the remote locator unit receives the activation signal, the microprocessor activates an indicator device of the locator unit if the received activation signal includes either the target address code for the specific remote locator unit or the master address code, which correspond to the stored target address or the stored master address. In this manner, each of the remote locator units can be activated upon receiving an activation signal that includes either the target address code for the remote locator unit or the master address code.

As required by claim 1, depressing the master switch causes all of the plurality of remote locator units to simultaneously respond to the depression of the master switch, since each of the remote locator units includes a microprocessor that stores the same master address. In this manner, depression of the single master switch on the transmitter unit causes all of the plurality of remote locator units to simultaneously respond.

In rejecting the subject matter of independent claim 1, the Examiner initially cited the Lander '469 reference. However, the Examiner correctly indicated that the Lander '469 did not teach that the transmitter unit included a master switch and a master address code associated with the master switch. Further, the Lander '469 reference does not disclose that the remote locator units include a microprocessor having memory that stores both a programmable target address and a master address such that each of the remote locator units respond to either the programmable target address or the master address. To show some of these feature, the Examiner cited the Hedrick '105 reference.

In the argument against the allowability of claim 1 on page 6 of the Office Action, the Examiner has incorrectly interpreted the teaching of the Hedrick '105 reference. As described in the specification of the Hedrick '105 reference, the multiple activation switches 22 allow a plurality of codes to be transmitted using the same RF transmitter. When the master activation switch 76 is depressed, all of the codes associated with each

of the plurality of activation switches 22 are transmitted in rapid succession through the depression of the master activation switch 76 (col. 3, lines 14-27). Thus, the Hedrick '105 reference specifically discloses that when the master activation switch 76 is depressed, the transmitter unit sequentially transmits all of the address codes for each of the plurality of activation switches 22 in rapid succession. The Hedrick '105 reference does not disclose or suggest that the master activation switch 76 is associated with a master address code that is different from the plurality of target address codes. Instead, the Hedrick '105 reference teaches directly away from utilizing a master address code that is different than the target address code, since the Hedrick '105 reference teaches transmitting all of the target address codes upon depression of the single master activation switch 76.

As the Examiner correctly indicated in the first full paragraph of page 6, upon activation of the master activation switch 76, the RF transmitter 70 transmits a plurality of sequential codes. As described in column 3, lines 14-27, these plurality of codes each correspond to one of the activation switches 22. Thus, upon depression of the master activation switch 76, the RF transmitter transmits all of the codes in rapid succession. There is no disclosure, teaching, or any reference to a master address code that is different from the plurality of target address codes in the Hedrick '105 reference, contrary to the Examiner's assertion.

Further, the Examiner states that each of the response units includes a master address code 72 stored in a code program. This finding is directly contrary to the teaching of the Hedrick '105 reference. As set forth above, when the master activation switch 76 is depressed, all of the individual target address codes are sent sequentially. Each of the response units only responds to receipt of its specific target address code. All of the response units do not respond to the same master address code, as is required by claim 1. Instead, the system taught by the Hedrick '105 reference specifically suggests transmitting each of the plurality of address codes such that the plurality of response units can each respond to its own address code.

If the Lander '469 disclosure were modified to incorporate the teaching of the Hedrick '105 reference, the combined system may include a master activation switch. However, upon the depressing of the master activation switch, the transmitter of the Lander '469 reference would sequentially transmit the series of individual target address codes such that the plurality of locator units would each respond to receipt of its own target address. Nothing in the combined teachings of the Lander '469 reference and the Hedrick '105 reference discloses utilizing a master address code such that all of the remote locator units respond to the same master address code, where the master address code is different from each of the target address codes. Thus, the combination of the Lander '469 reference with the Hedrick '105 reference is improper and does not render the subject matter of independent claim 1 obvious.

In further arguing against the allowability of claim 1, the Examiner cited the Crabtree '199 reference in an attempt to show that the same master address code is stored in each of the remote locator units, where the master address code is different from unique target codes.

In column 22, line 48 to column 23, line 6, the Crabtree reference specifically discloses transmitting messages to each of the remote transmitters in a "round robin" fashion is undesirably slow; however, the Crabtree reference does not contemplate utilizing a master address code that allows all of the remote locator units to respond simultaneously. Instead, the Crabtree '199 reference is addressing the problem that it takes a significant amount of time to poll multiple transceivers since each of the transmitters must respond back to locator unit. As the Examiner indicated, temporary ID sessions can be stored on the transceiver. However, this is not remotely similar to the master address code stored in the transmitter unit of claim 1, where the master address code, when transmitted, causes all of the plurality of remote locator units to simultaneously activate an indicator device.

Although it is the Examiner's belief that it would have been obvious to have the transmitter unit of the Crabtree reference transmit one master address code, there is no disclosure, teaching or suggestion of utilizing any type of master address code in any of the references cited by the Examiner. The only teaching of this feature is from the applicant's own pending application. Therefore, independent claim 1 is believed to be allowable over the combination of references cited by the Examiner in the Office Action.

Claims 2-20, 22 and 24-27 depend directly or indirectly from claim 1 and are thus believed to be allowable based upon the above arguments for allowance, as well as in view of the subject matter of each of the claims.

Independent Claim 28

In rejecting independent claim 28, the Examiner relied upon the combination of the Melbourne '787 patent in view of the Hedrick '105 reference and the Crabtree '199 reference.

Independent claim 28, like claim 1 described above, is directed to a system for locating a plurality of objects where the transmitter unit includes a plurality of object locating switches and a master switch. An RF transmitter of the transmitter unit produces uniquely coded activation signals based upon the depression of the object locating switches or the master switch. Specifically, the RF activation signal includes a unique target address code for each of the object locating switches and a master address code that corresponds to the master switch, where the master address code is different from each of the plurality of target address codes.

Claim 28 further requires each of the plurality of remote locator units to include a microprocessor that includes a memory that stores both a programmable target address for the remote locator unit and a programmable master address, where the master address is the same for all of the remote locator units. When the microprocessor of the remote locator unit receives either the target address code corresponding to the stored target

address or the master address code corresponding to the stored master address, the microprocessor activates an indicator device.

The Melbourne '787 patent, like the Lander '469 reference described previously, does not teach a master switch or a master address code stored within the memory of the transmitter unit. Thus, like the rejection of independent claim 1 described in detail above, the Examiner cites the Hedrick '105 reference and the Crabtree '199 reference to show these features. For the same reasons as set forth above in the discussion of claim 1 relative to the Hedrick '105 and Crabtree '199 references, the combination of references cited by the Examiner do not disclose, teach or suggest, nor render obvious, the subject matter of amended independent claim 28. Thus, for the same reasons as set forth above in the arguments for allowance of claim 1, the use of the same master address code for all of the remote locator units allows the transmitter to transmit only a single RF signal that results in activation of all of the plurality of remote locator units. This feature of claim 28 is neither shown nor suggested, nor rendered obvious, by the combination of references cited by the Examiner in the Office Action.

Claims 29-32 and 34-36 depend directly or indirectly from claim 28 and are thus believed to be allowable based upon the above arguments for allowance, as well as in view of the subject matter of each of the claims.

Conclusion

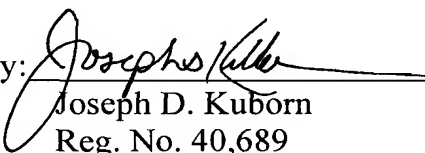
By the present response, the applicant has addressed the rejections of independent claims 1 and 28 made by the Examiner in the Office Action. Based upon the believed allowability of these independent claims, the remaining dependent claims in the pending application are also believed to be allowable. However, the applicant reserves the right to argue the individual features of the dependent claims should the Examiner incorrectly disagree with the applicant's arguments for the allowability claims 1 and 28.

Application No. 10/826,541
Amendment Dated March 10, 2007
Reply to Office Action of September 10, 2008

The Examiner is invited to contact the applicant's undersigned attorney with any questions or comments, or to otherwise facilitate prosecution of the present application.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

By: 
Joseph D. Kuborn
Reg. No. 40,689

Andrus, Sceales, Starke & Sawall, LLP
100 East Wisconsin Avenue, St. 1100
Milwaukee, WI 53202
(414) 271-7590